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Report of Committee on Model Health Ordinances...

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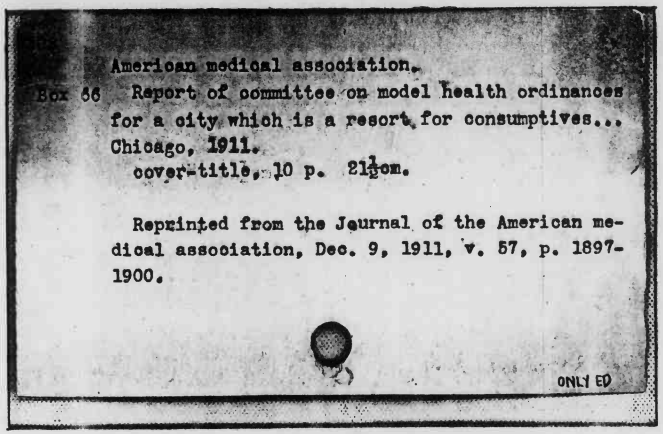
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Report of Committee on Model Health Ordinances for a City which is a Resort for Consumptives

308 Z Box 66

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AMERICAN MEDICAL ASSOCIATION
FIVE HUNDRED AND THIRTY-FIVE DEARBORN AVENUE
CHICAGO

REPORT OF COMMITTEE ON MODEL HEALTH ORDINANCES FOR A CITY WHICH IS A RESORT FOR CONSUMPTIVES *

For some time it has been apparent to those of us residing in such localities that health centers west of the Mississippi are notoriously lacking in health ordinances providing for the protection, not only of residents, but of health-seekers as well.

This fact was brought to the notice of Dr. W. A. Evans of Chicago, chairman of this section, during his recent trip through the West, and he suggested that a committee of three Western men residing in such centers draft a set of model health ordinances which would especially cover the subject of tuberculosis. The undersigned were appointed on that committee.

In drawing up this set of "model health ordinances for a city which is a resort for consumptives" we have considered that it will be necessary to revise and adapt them to meet local conditions in every municipality; and they are offered more as an outline indicating the essential points to be covered by such ordinances.

The committee respectfully submits the following ordinances:

I. REGISTRATION

Physicians' Duty to Report All Cases of Tuberculosis

SECTION 1.—It shall be the duty of every physician practicing in the City of ....., and of any and all persons professing to treat, or consulted for the treatment or cure of disease, by whatsoever means or method, to report in writing to the department of health of said city, on printed blanks furnished for this purpose by the department, the name, sex, age, color, nationality, occupation and address of any person visited by him or her, or coming to him or her for consultation, examination, or treatment, who is suffering, or suspected of suffering, from tuberculosis, within forty-eight hours after such case has come under his or her observation; to forward to said department a monthly report on every such case remaining under his or her charge; and to notify the department immediately on the patient's recovery, removal, or death.

Any person found guilty of violating any of the provisions of this section is to be subject to a fine of not less than five dollars ($5) or more than fifty dollars ($50).

* Read in the Section on Preventive Medicine and Public Health of the American Medical Association, at the Sixty-Second Annual Session, held at Los Angeles, June, 1911.

Duty of Authorities of Hospitals, Sanatoriums, etc., to Report All Cases

SECTION 2.—It shall be the duty of the commissioners or managers, or the principal, superintendent, or physician in charge, of each and every hospital, dispensary, sanatorium, or similar institution, public or private, in the city of ....., to report in writing to the department of health of said city the name, sex, age, color, nationality, occupation and latest address of every person under their care, who is suffering from tuberculosis, within one week after such case has come under their observation; as well as to notify the department forthwith of the recovery, removal, or death of any such patient.

Any person found guilty of violating the provisions of this section is to be subject to a fine of not less than five dollars ($5) or more than fifty dollars ($50).

Duty of Managers or Owners of Hotels, etc., to Report Cases

SECTION 3.—It shall be the duty of every owner, lessee, manager, agent, or other person having charge of a hotel, boarding house or tenement house within the limits of the city of ....., to report to the department of health of said city all the known facts with regard to any person ill with tuberculosis, who resides in any building under his or her charge, and who is not attended by a registered physician, within forty-eight hours after the beginning of such residence; as well as to notify the department forthwith of the termination of such residence by the removal or death of the patient.

Any person violating any of the provisions in this section shall be subject to a fine of not less than five dollars ($5) or more than fifty dollars ($50).

Duty of Department of Health to Visit Patients in Hotels, etc., Not Attended by Physicians, and to Leave Literature

SECTION 4.—It shall be the duty of the department of health, when obtaining knowledge of the existence of a case of tuberculosis in a hotel, boarding-house, or tenement house within the limits of the city of...., if the patient is not attended by a registered physician, to cause such premises to be visited by an officer of the department, and to leave with the person suffering from such disease, or his family, circulars of information and instructions concerning the nature of the disease, its proper treatment, the measures which should be taken to guard against its transmission to others, and such other directions as the case may seem to require.

Duty of Department to Make Microscopic Examinations, and to Leave Literature, at Request of Physicians

SECTION 5.—It shall be the duty of the department of health of the city of ....., when so requested by any physician or other individual professing to treat or cure disease, or by the authorities of any hospital, dispensary, sanatorium, or other institution for the treatment or care of the sick, to make, or cause to be made, a microscopic examination of the sputum, when forwarded to said department, of any person showing, or suspected of having, symptoms of tuberculosis; such examination, with a report on the result thereof, to be made free of charge to the patient, or to the physician or other individual having requested the same. And it shall further be the duty of said department to furnish, free of charge, to any physician making request for the same, for distribution among his or her patients, copies of any pamphlets, circulars of information, or other literature on the subject of tuberculosis, its character, symptoms, treatment, and prevention, published or procured by said department for this purpose.

Duty of Department to Keep a Record of All Cases

SECTION 6.—It shall be the duty of the department of health to cause all reports of cases of tuberculosis made in accordance with the provisions of Sections 1, 2 and 3, above, and all results of microscopic examinations showing the presence of tubercle bacilli, as provided in Section 5, to be recorded in a register kept for this purpose at, and in the custody of, said department; such register not to be open to inspection by any person or persons other than the duly constituted health authorities of the city of ..... and the state of ....., nor its contents, or any part thereof, to be divulged to any person or persons outside of said departments, except as may become necessary in order to carry into effect the provisions of this ordinance. Nor shall any such person having been reported as suffering from tuberculosis be visited by any public official, or be subjected to any public sanitary surveillance whatever, nor shall any literature on the subject of tuberculosis be sent to him by the department of health, unless residing in a hotel, boarding-house, or tenement house, and then only in case the patient is not attended by a registered physician, or in case the attending physician shall so request.

Penalty for Wilful Misstatement by Physician

SECTION 7.—Any physician, or person professing to treat or cure disease by whatsoever means or method, who shall knowingly and wilfully report as affected with tuberculosis any person who is not so affected, or who shall certify falsely as to any of the facts in such case, shall be deemed guilty of a misdemeanor, and, upon conviction, shall be subject to a fine of not to exceed twenty-five dollars ($25).

II. SCHOOL CHILDREN

No Tuberculous Child, or Child of Tuberculous Parents, to be Admitted to School Except by Permit from Department

SECTION 8.—No principal or superintendent of any school, and no parent or custodian of any child, shall permit any child suffering from tuberculosis, or any child in any family in which said disease exists, to attend any public or private school within the limits of the city of ....., except by written permit from the department of health, whose duty it shall be, before issuing such permit, to ascertain that adequate sanitary precautions are taken against the transmission of such disease to others.

Any violation of the provisions of this section shall be punishable by a fine of not less than five dollars ($5) or more than fifty dollars ($50).

III. DISINFECTION

Premises Vacated by Tuberculous Person to Be Disinfected

SECTION 9.—When notified of the vacation, through removal or death, of any room, apartment, or house within the limits of the city of ....., having been occupied by a person suffering from tuberculosis, in accordance with the provisions of Sections 1, 2 and 3 of this ordinance, it shall be the duty of the department of health of said city (unless such premises have already been properly and adequately disinfected, as attested by a registered physician) forthwith to cause such premises to be visited by an officer of the department, who shall order or direct the disinfection or renovation of the same, and of any articles or furnishings contained therein, in such manner and by such means as, in his judgment, may be necessary; the expense of such disinfection or renovation to be borne by the city.

Any person or persons wilfully and maliciously obstructing the entrance into such building or premises of any duly authorized officer of the department of health in pursuance of his duties as above mentioned, or in any way interfering with such officer in the discharge of such duties, shall be subject to a fine of not less than ten dollars ($10) or more than fifty dollars ($50).

Such Premises Not to Be Reoccupied Except as Permitted by Department

SECTION 10.—It shall be unlawful for any person or persons, other than those residing in such premises at the time such case was reported, to occupy any room, apartment, or house vacated, whether through removal or death, by a person suffering from tuberculosis; and no person, whether as owner, agent, lessee, or occupant, shall rent or lease or permit to be occupied, except as above specified, such room, apartment or house until the orders or directions of the department of health, as set forth in the previous sections, have been complied with, and the premises have been declared safe and suitable for occupancy, by an officer of the department.

Any violation of any of the provisions of this section shall be punishable by a fine of not less than ten dollars ($10) or more than fifty dollars ($50).

Placard to Be Placed on Door of Infected Premises

SECTION 11.—In case the orders or directions of the department of health for the disinfection or renovation of any room, apartment, or house, or any articles or furnishings contained therein, as provided in Section 9, above, shall not be complied with within forty-eight hours after such orders or directions have been given, the department may cause a placard to be placed on the door of the infected premises, with wording substantially as follows:

NOTICE!

TUBERCULOSIS IS AN INFECTIOUS DISEASE!

These apartments have been occupied by a consumptive. They must not be reoccupied until the order of the Department of Health directing their disinfection or renovation has been complied with.

This notice must not be removed, under the penalty of the law, except by order of the Department.

Unlawful to Dispose of Belongings of Deceased Persons Unless Disinfected

SECTION 12.—It shall be unlawful for any person to remove, give, lend, sell, or offer for sale any clothing, furniture, or other article liable to carry infection, having belonged to a person suffering from, or having died from tuberculosis, unless the same has been disinfected according to the directions of the department of health.

IV. PUBLIC FOUNTAINS AND DRINKING-CUPS

No Fountain to be Erected in Public Places or Buildings Unless Properly Constructed; No Drinking-Cups to Be Attached to Public Fountains Unless Provision Be Made for Properly Rinsing

SECTION 13.—No fountain, well, hydrant, cooler, basin, or other source of or receptacle for water, or any other beverage whatsoever, shall be erected or placed in any street, avenue, or park within the limits of the city of ....., nor in or on the premises of any schoolhouse, railway station, store, shop, factory, or any other building, whether public or private, or on any railroad train, within the limits of said city, for the free and common use of the public, or to which the public has access through the payment of a fee or otherwise, or for the free and common use of the children or students of such school, the customers and employees of such store, shop, or factory, and the passengers of such train, unless the water or other liquid contained in such receptacle have a continuous flow, with devices for automatically carrying off any overflow, or any water or other liquid which may be poured back into such receptacle by any person drinking out of the same; or, if the water or other liquid be stagnant, unless it be properly covered or protected from dust and dirt, and frequently renewed. And, further, no cup, glass, dipper, or any other drinking-vessel whatsoever shall be attached to, or placed on or near any drinking fountain, well, hydrant, cooler, basin, or other receptacle for water or any other beverage, in any street, avenue or park, or in or on the premises of any schoolhouse, railway station, store, shop, factory, or any other building, or on any railway train, within the limits of said city, for the common and indiscriminate use of the general public, of the children or students of such school, of the customers and employees of such store, shop, or factory, or of the passengers of such train, unless such cup, glass, or

other vessel be thoroughly and efficiently cleansed after each usage of the same, either automatically or by an attendant.

Any individual or corporation violating any of the provisions of this section shall be subject to a fine of not less than five dollars ($5) or more than fifty dollars ($50) for each offense.

V. EXPECTORATION

Illegality of Expectorating in Public Places

SECTION 14.—No person shall spit or deposit any sputum, saliva, tobacco juice, cigarette or cigar stubs, or quids of tobacco on the sidewalk or on, into or through any grating, area or stairway of any street, avenue, alley, or park within the limits of the city of .....; or on the platform, floor, walls, stairway, or furnishings of any railway station, schoolhouse, church, theater, place of amusement, market, store, shop, factory or other public building, or building to which the public has access, or which is occupied or frequented by numerous employees or attendants; or on the floor, steps, walls, or furnishings of any railway, elevated, or street car, or other public conveyance in said city; or on the floor, wall, or furnishings of any hall in any tenement house which is used in common by the tenants, or of any hall, lobby, or office of any hotel, boarding-house, or lodging-house which is used in common by the guests, within said city.

Any person who shall be convicted of violating any of the provisions of this section shall be punished by a fine of not less than two dollars ($2) or more than fifty dollars ($50) for each separate offense.

Posting of Notices Regarding Danger and Illegality of Expectorating

SECTION 15.—It shall be the duty of the department of health of the city of ..... to cause to be posted in conspicuous places in the streets of said city a sufficient number of permanent notices calling attention to the danger and illegality of expectorating on the sidewalks, and to the penalty attached to such act; and it shall be the duty of any individual or corporation owning, or having the management or control of any public building, or any building to which the public has access, or which is occupied or frequented by numerous employes or attendants, or of any railway, street-car, or other public conveyance system operating in or entering the territory of said city, likewise to cause to be conspicuously and permanently placed in each such building, or in each such car or conveyance, a sufficient number of notices forbidding spitting, and calling attention to the penalty therefor, as specified in Section 14 above.

Any violation or evasion of the provisions of this section shall be punishable by a fine of not less than ten dollars ($10) or more than one hundred dollars ($100) for each separate offense.

Duty of Police and Others to Cause Arrest of Offenders

SECTION 16.—It shall be the duty of the police of the city of ..... to arrest any person found violating any of the provisions of Section 14 above; and it shall be the duty

of any individual or individuals owning, or having the management or control of any building or place, as specified in Section 14, and of the janitor or watchman of any such building or place, and of the conductor of any railway or elevated train and of any street car, to watch for and cause the arrest of any person violating any of the provisions of Section 14, and in every way possible to assist the police of said city in the enforcement of such provisions.

Placing of Cuspidors for Use of Public and Employees

SECTION 17.—It shall be the duty of every corporation, firm, or individual owning, or having charge or control of any railway station, public hall, saloon, factory, workshop, or barber shop, or any other place, building, or part of building frequented by the general public, or occupied by five or more employees, in the city of ....., to place or cause to be placed, a sufficient number of standing cuspidors in such premises, in the proportion of at least one cuspidor for every five men or fifteen women.

Any failure to comply with the provisions of this section shall be punishable by a fine of not less than five dollars ($5) or more than fifty dollars ($50).

VI. LAUNDRY

No Linen of Tuberculous Persons to Be Handled at Public Laundry Unless Sterilized

SECTION 18.—No soiled linen, or other wearing apparel, shall be sent to any public laundry in the city of ....., or be received by the same for the purpose of washing or cleaning, from any hospital, sanatorium, hotel, boarding or rooming house in said city, where tuberculous cases are taken, unless such laundry be equipped with an adequate sterilizing plant, to be approved by the department of health.

Any violation of this provision shall be punishable by a fine of not less than five dollars ($5) or more than fifty dollars ($50).

VII. STREET-SWEEPING

Frequency of Sweeping and Removal of Dirt

SECTION 19.—Every street, avenue, or square within the business section of the city of ..... shall be swept or cleaned, and the sweepings, dirt and rubbish removed from the same, once in every twenty-four hours; and every paved street, avenue, alley or square in the residence sections of said city shall be swept or cleaned, and the dirt and rubbish carted away therefrom, at least three times in every week.

Time and Method of Sweeping and Removal of Dirt

SECTION 20.—No sweeping or cleaning, whether by hand or machine, of any street, avenue, alley, or square within the business section of the city of ..... shall be permitted between the hours of six in the morning and eleven in the evening (6 a. m.-11 p. m.), and no street, avenue, alley or square within any section, business or residence, of said city, which is paved with granite blocks, cedar blocks or

other wood, bricks or asphalt, shall at any time be swept or cleansed, whether by hand or machine, unless the same has been previously flushed or sprinkled with water; and no dirt, offal, or rubbish thus collected shall be allowed to remain in such street, avenue, alley, or square more than two hours following such sweeping or cleaning within the business section, or more than six hours within the residence districts of said city.

VIII. FOOD AND DRINK

Premises Where Food Is Sold Not to Be Occupied as Living-Rooms

SECTION 21.—No room or premises within the city of ....., in which any article of food or drink is exhibited or offered for sale, shall be occupied as a living-room or sleeping-room by any person or persons; nor shall any animal or animals be kept in, or have access to, such room or premises.

Articles of Food Carted Through Streets to Be Properly Protected from Dirt, Dust and Flies

SECTION 22.—No meat, game, poultry, fish, eggs, fruit, vegetables, breadstuffs, pastry, milk, butter, cheese, candies, confectionery, or any other article whatsoever which is to be used as human food, shall be carted or carried through the streets, avenues or alleys of the city of ....., unless the same be so covered or screened as to be protected from dirt, dust and flies; nor shall such articles be hung or exposed for sale or inspection in any street, avenue, or alley, or on any sidewalk outside of any shop, store, or private dwelling in said city, or in or near the open windows or doorways of such shop, store, or dwelling, unless it be properly covered or screened, so as to protect it from dirt, dust and flies.

Articles of Food Offered for Sale to Be Properly Protected From Dirt, Dust and Flies

SECTION 23.—No breadstuffs, pastry, butter, milk, cheese, candies, confectionery, or fresh, dried or preserved fruit, shall be exhibited or offered for sale in any part of any shop, store, or private dwelling in the city of ....., unless it be properly covered, screened or protected from dirt, dust and flies.

No Tuberculous Person to Be Employed at Manufacturing or Selling Foodstuffs

SECTION 24.—No person suffering from tuberculosis shall be employed in any grocery store, meat market, bakery, ice-cream parlor, dairy, or any other place where foodstuffs are manufactured or sold, within the limits of the city of .....

Penalties

SECTION 25.—Any violation of any of the provisions of Sections 21, 22, 23 and 24, above, shall be punishable by a fine of not less than five dollars ($5) or more than fifty dollars ($50).

IX. GARBAGE

Duties of Owners, Tenants, etc., to Provide Proper Receptacles for Garbage

SECTION 26.—It shall be the duty of every owner, tenant, lessee, or person in charge of any building, apartment, or place of business in the city of ....., to provide, or cause to be provided, for the exclusive use of the occupants of such building, apartment, or place of business, a sufficient number of receptacles, made of or lined with metal, and water-tight, for receiving and holding all animal and vegetable refuse that may accumulate in such premises; such receptacles to be supplied with a strong, well-fitting lid or cover, to be kept tightly closed so as to prevent dogs, cats, or flies from gaining access to the contents thereof, and to be kept within such premises, or in the alley adjoining such premises, until emptied by the garbage collector.

Manner of Collection and Removal of Garbage

SECTION 27.—All garbage accumulated in any building, apartment, or place of business in the city of ....., as above specified, shall be collected and removed from such premises at least once in every twenty-four hours, by the city department or contractor having charge of such work, or by the individual or individuals being authorized therefor, in wagons or carts constructed especially for this purpose; which wagons or carts shall be provided with a substantial, water-tight metal tank with a close-fitting cover, so as to prevent the escape of any of the contents of such receptacles, and shall be thoroughly cleaned and disinfected at least twice a week.

Garbage Not to Be Used for Filling-In Purposes, or as Food for Animals Unless First Cooked

SECTION 28.—It shall be unlawful to deposit any garbage thus collected in any lot or grounds, or to use it for the purpose of raising the surface of any lot or grounds, within the city of .....; nor shall it be lawful to use the same for fertilizing purposes, or to be fed to swine or poultry, within the limits of said city, unless the same has previously been cooked, or otherwise treated so as to render it harmless as a carrier of infection.

Penalties

SECTION 29.—Any violation of any of the provisions of Sections 26, 27 or 28, above, shall be punishable by a fine of not less than five dollars ($5) or more than fifty dollars ($50) for each offense.

X. MANURE

Accumulation of Manure in Vicinity of Dwellings Illegal Except as Approved by Department of Health

SECTION 30.—It shall be unlawful to deposit any manure or other putrid or offensive material in any street, avenue, alley, or public place within the limits of the city of ....., and to cause or allow any accumulation of such material within three hundred (300) feet of any inhabited dwelling,

or of any store or factory, or other occupied building, in said city, without permission from the department of health.

Manner of Removal and Disposal of Manure, etc.

SECTION 31.—Any manure, or other putrid or offensive material incident to the keeping of horses, cows, or fowls within the city of ....., shall be removed from the premises on which it has accumulated, by the owner, lessee, or occupant of such premises, at such intervals and by such means and in such manner as shall be prescribed or approved by the department of health, and shall not be disposed of in any manner except by permission of said department.

Penalties

SECTION 32.—Any violation of any of the provisions of the two preceding sections shall be punishable by a fine of not less than five dollars ($5) or more than fifty dollars ($50).

XI. SMOKE

No Dense Smoke to Be Emitted Into Open Air From Any Building or Engine

SECTION 33.—It shall be unlawful for the owner, lessee, manager, agent, occupants, or person in charge of any factory, shop, store, schoolhouse, or any other building, public or private, or any engine, stationary or locomotive, within the limits of the city of ....., to cause or allow any dense smoke to be emitted or discharged into the open air from such building or locomotive; unless it can be shown to the satisfaction of the inspector charged with investigating such premises, or of the court trying any person for violation of this ordinance, that there exist no known devices or means, applicable to such premises, for the prevention of such smoke.

Any violation of any of the provisions of this section, except as noted above, shall be punishable by a fine of not less than ten dollars ($10) or more than one hundred dollars ($100); and each day on which such smoke is caused or suffered to issue or be discharged shall constitute a separate offense.

G. WALTER HOLDEN, M.D., Denver, Chairman,
W. JARVIS BARLOW, M.D., Los Angeles,
W. H. ANDERSON, M D., El Paso, Texas,
Committee.

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